

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY PRATT,

Plaintiff,

-v-

NEW YORK CITY DEPARTMENT OF
CORRECTION, *et al.*,

Defendants.

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DATE FILED: <u>9/21/09</u>

No. 06 Civ. 3573 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On June 23, 2009, the Court issued an Order dismissing this case with prejudice after learning that the parties had reached a settlement, but reserving thirty days for either party to petition the Court to reopen the matter. Subsequently, on July 8, 2009, the Court entered a Stipulation and Order of Settlement and Dismissal whereby the parties agreed that the action was dismissed with prejudice. The stipulation was signed by counsel for both parties.

The Court then received a letter from Plaintiff's counsel informing the Court that her client did not and had not agreed to the settlement. After holding a phone conference on August 18, 2009, the Court entered an Order directing Plaintiff to submit a motion to reopen and supporting materials or a letter indicating his intent not to do so no later than September 1, 2009. Having received no submissions from Plaintiff by September 14, 2009, the Court again ordered Plaintiff to submit his motion to reopen and supporting materials or letter informing the Court of his intent not to do so by September 17, 2009. The Court has still received no word from Plaintiff.

Accordingly, the Court deems Plaintiff's attempt to dispute the settlement and reopen the case as abandoned and the case will remain closed.

SO ORDERED.

Dated: September 21, 2009
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE